

Notice of Allowability

Application No.

10/629,924

Examiner

Kiet Doan

Applicant(s)

BOTZEL ET AL.

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/01/2005.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____

DETAILED ACTION

This office action is response to Amendment file on 08/01/2005.

Allowable Subject Matter

Claims 1-20 are allowed.

The following is an examiner's statement of reasons for allowance:

Consider claim 1, the prior art record, Wright et al. (Patent No. 6,466,569) teaches a data transmission system, comprising: at least two stations between which data bursts being interchanged via radio (Abstract, C1, L51-67, C2, L1-5, L30-39, Fig. 1, Illustrate data transmission contain up/down antenna which data bursts being interchanged via radio as No.106 and No.112).

Jandrell (Patent No. 6,459,704) teaches said stations including: a first station having a first transmitter for up-mixing the data bursts from baseband to a first channel mid-frequency and for transmitting them, and a first receiver receiving the data bursts at a second channel mid-frequency and down-mixing them to an intermediate frequency (C4, L6-10, Fig. 1, Illustrate No.108a as first station, Fig. 5, Illustrate No.314 as transmitter for up-mixing the data bursts and No.318 as down mixer).

However, the prior art record, consider in combination of Wright and Jandrell references **are fail to teach or suggest fairly** said first station having a first local oscillator producing a first local frequency required for up-mixing from the baseband to the first channel mid-frequency and required for down-mixing from the second channel mid-frequency to the intermediate frequency; and

Art Unit: 2683

a second station having a second transmitter up-mixing the data bursts from the baseband to the second channel mid-frequency and transmitting them, and a second receiver receiving the data bursts at the first channel mid-frequency and down-mixing them to the intermediate frequency, a frequency hop between the first channel mid-frequency used for a downlink transmission from said first station to said second station and the second channel mid-frequency used for an uplink transmission from said second station to said first station has a magnitude corresponding to a magnitude of the intermediate frequency, said second station having a second local oscillator producing a second local frequency required for up-mixing from the baseband to the second channel mid-frequency and required for down-mixing from the first channel mid-frequency to the intermediate frequency, as substantially connected and specific detail and in combination as particularly recited in claims 14 and 20.

Claims 2-13 and 15-19 are allowed as being dependent on the independent claims 1 and 14.

Conclusion

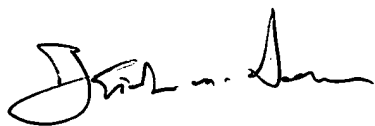
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863. The examiner can normally be reached on 8am - 5pm.

Art Unit: 2683

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kiet Doan
Patent Examiner



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